

# CADWALADER

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April 1, 2015

## VIA MESSENGER

Hon. Andrew L. Carter Jr.  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

RE: *In re North Sea Brent Crude Oil Futures Litigation*, No. 13-md-2475 (ALC)  
*Harter v. Royal Dutch Shell PLC et al.*, No. 13-cv-7443 (ALC)

Dear Judge Carter:

Pursuant to Your Honor's Individual Practices Rule 1.G and 2.C, on behalf of Defendant Morgan Stanley Capital Group, Inc. ("MSCGI") and the plaintiffs in *In re North Sea Brent Crude Oil Futures Litigation*, No. 13-md-2475 (ALC) (the "Trader Action"), enclosed please find courtesy copies of the following documents filed yesterday in the Trader Action and *Harter v. Royal Dutch Shell PLC et al.*, No. 13-cv-7443 (ALC) (the "Landholder Action"):

- Defendant Morgan Stanley Capital Group, Inc.'s Notice of Motion to Dismiss the Second Amended Consolidated Class Action Complaint and the Second Amended Class Action Complaint (ECF No. 331 in the Trader Action; ECF No. 83 in the Landholder Action);
- Defendant Morgan Stanley Capital Group, Inc.'s Supplemental Memorandum of Law in Support of Its Motion to Dismiss the Second Amended Consolidated Class Action Complaint and the Second Amended Class Action Complaint (ECF No. 332 in the Trader Action, ECF No. 84 in the Landholder Action);
- Plaintiff's Memorandum of Law in Opposition to Morgan Stanley Capital Group, Inc.'s Motion to Dismiss the Second Consolidated Class Action Complaint and the Second Amended Class Action Complaint (ECF No. 335 in the Trader Action) which it is expected the Landholder Actions Plaintiff will join in;

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- Defendant Morgan Stanley Capital Group, Inc.'s Supplemental Reply Memorandum of Law in Further Support of Its Motion to Dismiss the Second Amended Consolidated Class Action Complaint and the Second Amended Class Action Complaint and accompanying Appendix A (ECF No. 338 in the Trader Action, ECF No. 86 in the Landholder Action).

These documents are the revised briefs required by your Stipulation and Order dated February 26, 2015, (the "Stipulation and Order") pursuant to which, inter alia, Defendant MSCGI was substituted for prior Defendant Morgan Stanley which has now been dismissed from the Trader Action. MSCGI further notes that as previously noted in my letter to Your Honor dated March 13, 2015 (ECF No. 320), the parties anticipate that a similar stipulation and order will be entered into between MSCGI and the plaintiffs in the Landholder Action. In the interest of complying with the filing deadline in the Stipulation and Order in the Trader Action, Defendant MSCGI has relied for purposes of preparing these briefs on a draft Second Amended Class Action Complaint which it is anticipated will be filed in the Landholder Action.

Very truly yours,



Gregory A. Markel

GAM  
Enclosures

Cc: All Counsel of Record (via ECF)